

KEITH SURTAIN §  
v. § CIVIL ACTION NO. 5:15cv2  
REGINALDO STANLEY, ET AL. §

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The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.") It is accordingly

**ORDERED** the Report of the Magistrate Judge (docket no. 26) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** the motions to dismiss filed by the Defendants Dr. Stanley and Cathy McPeak (docket no. 16) and by Warden Merchant, Warden Calfee, and Major Alexander (docket no. 17) are **GRANTED** and the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim upon which relief may be granted. It is further

**ORDERED** that any and all motions which may be pending in this action are hereby **DENIED**.

So **ORDERED** and **SIGNED** this 5th day of February, 2016.

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE